

serving with him during all but two of those years. During his Senate service Bob Stafford became a national figure of stature, of vision and of courage in his leadership especially on environmental and education policy issues and legislation. His legacy endures in his many legislative achievements.

To honor our friend, Senator Jeffords and I introduced this legislation to name the White Rocks National Recreation Area in the Green Mountain National Forest as the "Robert T. Stafford White Rocks National Recreation Area." White Rocks is among his most beloved natural areas in Vermont, and Bob Stafford protected more land in our State than anyone who came before him. I know he and Helen could actually see the towering white cliff face of White Rocks Mountain from their home. By passing this legislation, the Senate honors our former colleague and our friend.

Mr. JEFFORDS. Mr. President, I join my colleague from Vermont, Senator LEAHY, in seeking to rename the White Rocks National Recreation Area in the Green Mountain National Forest of Vermont in honor of our great friend, and my mentor and predecessor, Robert T. Stafford.

Twenty-two years ago, Senator Stafford introduced the Vermont Wilderness Act of 1984 on behalf of himself and Senator LEAHY. Senator Stafford said at that time, "It is our intention to present this legislation to Vermonters and seek their comments . . . I am willing to listen to the voices of other Vermonters before a decision is made." And listen he did.

Senator Stafford then led Senator LEAHY and me back home to Vermont to hear from hundreds of our constituents. Their input changed the bill, and the result was the creation of the White Rocks National Recreation Area.

This magnificent, 36,000-acre recreation area exists because of Senator Stafford's insistence upon listening to Vermonters and seeing their views embodied in the law.

Senator Stafford's public service spanned four decades, and included six years as chairman of the Senate Committee on Environment and Public Works. Throughout his career, he proved himself a true steward of our environment. As he approached his retirement at the end of the 100th Congress, Senator Stafford gave a series of floor statements describing the environmental threats that faced our Nation.

On September 12, 1988, he said, "We humans have degraded the environment of our world, and now we must set ourselves on the path of reversing that course. It will not be an easy task to accomplish, but it is a necessary one . . . If only we can recognize this circumstance for what it is—an opportunity to redirect ourselves toward a brighter future—then setting ourselves to the task ahead will not be a burden, but a joy."

That was 18 years ago, and unfortunately, those threats remain very

much with us today. But it is my hope that the White Rocks recreation area, which Senator Stafford can look out upon from his home in Rutland, Vermont, will be a constant reminder of Senator Stafford's devotion to Vermont and his devotion to our environment.

No monument or statement or park renaming can do justice to the unparalleled contributions Senator Stafford has made to both Vermont and this Nation. Senator Stafford has been one of the most devoted, capable and accomplished public servants the Senate has ever known. That said, naming the White Rocks area after Senator Stafford is as fitting a tribute as I can imagine.

Just as the Wilderness Act of 1984 named the George Aiken Wilderness Area in honor of that great Vermont Senator, we seek to bestow the same honor upon Senator Stafford with the naming of the Robert T. Stafford White Rocks National Recreation Area.

Mr. FRIST. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2447) was read the third time and passed, as follows:

S. 2447

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ROBERT T. STAFFORD WHITE ROCKS NATIONAL RECREATION AREA.

(a) REDESIGNATION.—The White Rocks National Recreation Area in the State of Vermont, as established by section 202 of the Vermont Wilderness Act of 1984 (16 U.S.C. 460nn-1), is redesignated as the "Robert T. Stafford White Rocks National Recreation Area".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the recreation area referred to in subsection (a) shall be deemed to be a reference to the Robert T. Stafford White Rocks National Recreation Area.

#### TEMPORARY INCREASE IN THE BORROWING AUTHORITY OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

Mr. FRIST. Mr. President, I ask unanimous consent that the chair now lay before the Senate the House message to accompany S. 2275.

The Presiding Officer laid before the Senate the following message:

S. 2275

*Resolved*, That the bill from the Senate (S. 2275) entitled "An Act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program", do pass with the following amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Flood Insurance Program Enhanced Borrowing Authority Act of 2006".

#### SEC. 2. INCREASE IN BORROWING AUTHORITY.

The first sentence of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)), as amended by the National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005 (Public Law 109-106; 119 Stat. 2288), is amended by striking "\$18,500,000,000" and inserting "\$20,775,000,000".

#### SEC. 3. EMERGENCY SPENDING.

Amendments made pursuant to this Act are designated as emergency spending, as provided under section 402 of H. Con. Res. 95 (109th Congress).

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate concur in the House amendment, the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PERMITTING USE OF THE CAPITOL ROTUNDA FOR A CEREMONY IN REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 350 received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 350) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 350) was agreed to.

#### AUTHORITY OF THE SECRETARY OF THE ARMY TO ACCEPT AND EXPEND FUNDS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4826, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4826) to extend through December 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the

table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4826) was read the third time and passed.

#### UNDERTAKING SPAM, SPYWARE, AND FRAUD ENFORCEMENT WITH ENFORCERS BEYOND BORDERS ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 372, S. 1608.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1608) to enhance Federal Trade Commission enforcement against illegal spam, spyware, and cross-border fraud and deception, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1608) was read the third time and passed, as follows:

S. 1608

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the “Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers Beyond Borders Act of 2005” or the “U.S. SAFE WEB Act of 2005”.

(b) FINDINGS.—The Congress finds the following:

(1) The Federal Trade Commission protects consumers from fraud and deception. Cross-border fraud and deception are growing international problems that affect American consumers and businesses.

(2) The development of the Internet and improvements in telecommunications technologies have brought significant benefits to consumers. At the same time, they have also provided unprecedented opportunities for those engaged in fraud and deception to establish operations in one country and victimize a large number of consumers in other countries.

(3) An increasing number of consumer complaints collected in the Consumer Sentinel database maintained by the Commission, and an increasing number of cases brought by the Commission, involve foreign consumers, foreign businesses or individuals, or assets or evidence located outside the United States.

(4) The Commission has legal authority to remedy law violations involving domestic and foreign wrongdoers, pursuant to the Federal Trade Commission Act. The Commission’s ability to obtain effective relief using this authority, however, may face practical impediments when wrongdoers, victims, other witnesses, documents, money and third parties involved in the transaction are widely dispersed in many different jurisdictions. Such circumstances make it difficult for the Commission to gather all the information necessary to detect injurious practices, to recover offshore assets for consumer redress,

and to reach conduct occurring outside the United States that affects United States consumers.

(5) Improving the ability of the Commission and its foreign counterparts to share information about cross-border fraud and deception, to conduct joint and parallel investigations, and to assist each other is critical to achieve more timely and effective enforcement in cross-border cases.

(c) PURPOSE.—The purpose of this Act is to enhance the ability of the Federal Trade Commission to protect consumers from illegal spam, spyware, and cross-border fraud and deception and other consumer protection law violations.

#### SEC. 2. FOREIGN LAW ENFORCEMENT AGENCY DEFINED.

Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by adding at the end the following:

“‘Foreign law enforcement agency’ means—

“(1) any agency or judicial authority of a foreign government, including a foreign state, a political subdivision of a foreign state, or a multinational organization constituted by and comprised of foreign states, that is vested with law enforcement or investigative authority in civil, criminal, or administrative matters; and

“(2) any multinational organization, to the extent that it is acting on behalf of an entity described in paragraph (1).”.

#### SEC. 3. AVAILABILITY OF REMEDIES.

Section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)) is amended by adding at the end the following:

“(4)(A) For purposes of subsection (a), the term ‘unfair or deceptive acts or practices’ includes such acts or practices involving foreign commerce that—

“(i) cause or are likely to cause reasonably foreseeable injury within the United States; or

“(ii) involve material conduct occurring within the United States.

“(B) All remedies available to the Commission with respect to unfair and deceptive acts or practices shall be available for acts and practices described in this paragraph, including restitution to domestic or foreign victims.”.

#### SEC. 4. POWERS OF THE COMMISSION.

(a) PUBLICATION OF INFORMATION; REPORTS.—Section 6(f) of the Federal Trade Commission Act (15 U.S.C. 46(f)) is amended—

(1) by inserting “(1)” after “such information” the first place it appears; and

(2) by striking “purposes.” and inserting “purposes, and (2) to any officer or employee of any foreign law enforcement agency under the same circumstances that making material available to foreign law enforcement agencies is permitted under section 21(b).”.

(b) OTHER POWERS OF THE COMMISSION.—Section 6 of the Federal Trade Commission Act (15 U.S.C. 46) is further amended by inserting after subsection (i) and before the proviso the following:

“(j) INVESTIGATIVE ASSISTANCE FOR FOREIGN LAW ENFORCEMENT AGENCIES.—

“(1) IN GENERAL.—Upon a written request from a foreign law enforcement agency to provide assistance in accordance with this subsection, if the requesting agency states that it is investigating, or engaging in enforcement proceedings against, possible violations of laws prohibiting fraudulent or deceptive commercial practices, or other practices substantially similar to practices prohibited by any provision of the laws administered by the Commission, other than Federal antitrust laws (as defined in section 12(5) of the International Antitrust Enforcement Assistance Act of 1994 (15 U.S.C. 6211(5))), to

provide the assistance described in paragraph (2) without requiring that the conduct identified in the request constitute a violation of the laws of the United States.

“(2) TYPE OF ASSISTANCE.—In providing assistance to a foreign law enforcement agency under this subsection, the Commission may—

“(A) conduct such investigation as the Commission deems necessary to collect information and evidence pertinent to the request for assistance, using all investigative powers authorized by this Act; and

“(B) when the request is from an agency acting to investigate or pursue the enforcement of civil laws, or when the Attorney General refers a request to the Commission from an agency acting to investigate or pursue the enforcement of criminal laws, seek and accept appointment by a United States district court of Commission attorneys to provide assistance to foreign and international tribunals and to litigants before such tribunals on behalf of a foreign law enforcement agency pursuant to section 1782 of title 28, United States Code.

“(3) CRITERIA FOR DETERMINATION.—In deciding whether to provide such assistance, the Commission shall consider all relevant factors, including—

“(A) whether the requesting agency has agreed to provide or will provide reciprocal assistance to the Commission;

“(B) whether compliance with the request would prejudice the public interest of the United States; and

“(C) whether the requesting agency’s investigation or enforcement proceeding concerns acts or practices that cause or are likely to cause injury to a significant number of persons.

“(4) INTERNATIONAL AGREEMENTS.—If a foreign law enforcement agency has set forth a legal basis for requiring execution of an international agreement as a condition for reciprocal assistance, or as a condition for provision of materials or information to the Commission, the Commission, with prior approval and ongoing oversight of the Secretary of State, and with final approval of the agreement by the Secretary of State, may negotiate and conclude an international agreement, in the name of either the United States or the Commission, for the purpose of obtaining such assistance, materials, or information. The Commission may undertake in such an international agreement to—

“(A) provide assistance using the powers set forth in this subsection;

“(B) disclose materials and information in accordance with subsection (f) and section 21(b); and

“(C) engage in further cooperation, and protect materials and information received from disclosure, as authorized by this Act.

“(5) ADDITIONAL AUTHORITY.—The authority provided by this subsection is in addition to, and not in lieu of, any other authority vested in the Commission or any other officer of the United States.

“(6) LIMITATION.—The authority granted by this subsection shall not authorize the Commission to take any action or exercise any power with respect to a bank, a savings and loan institution described in section 18(f)(3) (15 U.S.C. 57a(f)(3)), a Federal credit union described in section 18(f)(4) (15 U.S.C. 57a(f)(4)), or a common carrier subject to the Act to regulate commerce, except in accordance with the undersigned proviso following the last designated subsection of section 6 (15 U.S.C. 46).

“(7) ASSISTANCE TO CERTAIN COUNTRIES.—The Commission may not provide investigative assistance under this subsection to a foreign law enforcement agency from a foreign state that the Secretary of State has determined, in accordance with section 6(j)